

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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MATTIEU BURKS

Plaintiff,

-against-

CORRECTION OFFICER CHAD STICKNEY;
CORRECTION OFFICER NOLAN; CORRECTION
OFFICER SMITH; CORRECTION OFFICER PEPPER;
SERGEANT J. CROSS; JOHN DOE "E" BLOCK
SERGEANT; SUPERINTENDENT STEVEN RACETTE,
SUPERINTENDENT MICHAEL KIRKPATRICK, JOHN
DOE SUPERVISOR IN CHARGE OF SECURITY #1,
JOHN DOE CORRECTION OFFICERS ##1-25,

**NOTICE OF MOTION TO
MOTION FOR SANCTIONS
PURSUANT TO RULE 37
AND THE INHERENT
POWER OF THE COURT**

16 CV 759 (FJS)(DEP)

Defendants.
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PLEASE TAKE NOTICE that upon the annexed Affidavit of Leo Glickman, the attached Memorandum of Law, both dated October 17, 2017 and the annexed exhibits, and upon all the papers and proceedings had herein, plaintiff will move this Court, before Magistrate Judge David E. Peebles at the United States Courthouse for the Northern District of New York for an order to impose sanctions on defendants for their conduct in discovery.

PLEASE TAKE FURTHER NOTICE that defendants' opposition papers must be served on the undersigned by November 9, 2017.

DATED: Brooklyn, New York
October 17, 2017

Hon. David E. Peebles
U.S. Magistrate Judge
United States District Court
Northern District of New York

Stoll, Glickman & Bellina, LLP
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BY: /S/
Leo Glickman (LG3644)

CERTIFICATE OF SERVICE

I hereby certify that on October 17, 2017, I electronically filed the Notice of Motion, Affidavit and Memorandum of Law in this matter with the Clerk of the District Court using its CM/ECF system and thereby provided service of the following CM/ECF participant:

Assistant Attorney General Denise Buckley
Office of the Attorney General for the State of New York
The Capitol
Albany, NY 12224
Denise.Buckley@ag.ny.gov

DATED: Brooklyn, New York
October 17, 2017

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